

REMARKS

Claims 1-32 are pending in the application.

Claims 1-32 have been rejected.

Claims 1-6, 8, 12-16, 20-21, 23-28, and 32 have been amended. Support for the amendments can be found in at least paragraph [0033] of the present Specification.

Claims 33-36 have been added. Support for the added claims can be found in at least paragraph [0033] of the present Specification.

Objections to the Specification

Page 2 of the present Office Action asserts that the title of the invention is allegedly not descriptive. Applicants respectfully disagree. The current title is clearly indicative of the invention to which the claims are directed. The independent claims are directed to generating point-in-time copies of a database, which is clearly stated in the current title. Thus, Applicants respectfully request that the objection be withdrawn.

Rejection of Claims under 35 U.S.C. §101

Claims 13-22 and 28-32 stand rejected under 35 U.S.C. §101 because the claimed invention is purportedly directed to non-statutory subject matter. Applicants respectfully traverse this rejection. Applicants have amended the claims to address Examiner's concerns. Support for the amendments can be found on at least paragraph [0045] of the present Specification. Thus, Applicants respectfully request that the rejection be withdrawn.

Rejection of Claims under 35 U.S.C. § 103(a)

Claims 1-32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 7,133,884 issued to Murley et al. ("Murley") in view of U.S. Patent Publication 2005/0021487 listing Verma et al. as inventors ("Verma"). After careful consideration of the remarks made in the present Office Action, Applicants assert that Claims 1-32, as now amended, are patentable over the combination of Murley and Verma, in view of the arguments herein. As an initial matter, Applicants have incorporated elements formerly recited in independent Claims 2, 14, 24, and 32 into independent Claims 1, 14, 24, and 28.

Regarding independent Claims 1, 14, 24, and 28, nothing in the cited passages in the combination of Murley and Verma disclose (or render obvious):

determining a speculative structure of a database . . .
identifying each of said plurality of components using said speculative structure of said database[.]

Page 9 of the present Office Action asserts that the combination of Murley and Verma (specifically, col. 7, lines 19-22 of Murley) discloses the recited elements of the independent claims. Col. 7, lines 19-22 of Murley discloses:

In yet another embodiment, a consistent copy is created by starting with a current snapshot of the target database (or portions thereof) and selectively removing updates back to the user-specified point-in-time.

However, the cited passage of Murley of the combination of Murley and Verma simply does not address the determining and identifying elements as claimed in the independent claims.

In fact, a person skill in the art would not expect the combination of Murley and Verma to disclose, teach, or suggest the cited elements of the independent claims because none of the elements mentioned in the cited passage (e.g., consistent copy and current snapshot of the target database) are “speculative” structures “of said database” as claimed in the independent claims. A “current snapshot of the target database” is a real, current state of the target database. A “consistent copy” is a copy where all the data is consistent across a transaction (col. 1, lines 25-45 of Murley), which is also not a speculative structure since the consistent copy represents a known state of the target database at one time. Also, the combination of Murley and Verma does not even address the use of a “speculative structure” of a database (since no speculative structure is disclosed in the combination of Murley and Verma) for the identification of components, as recited in independent Claims 1, 14, 24, and 28.

The combination of the Murley and Verma does not disclose each and every element of independent Claims 1, 14, 24, and 28. Thus, independent Claims 1, 14, 24, and 28 and all dependent claims are patentable over the combination of Murley and Verma. Applicants respectfully request that the rejection be withdrawn.

CONCLUSION

In view of the amendments and remarks set forth herein, the application and the claims therein are believed to be in condition for allowance without any further examination and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5092.

If any extensions of time under 37 C.F.R. § 1.136(a) are required in order for this submission to be considered timely, Applicant hereby petitions for such extensions. Applicant also hereby authorizes that any fees due for such extensions or any other fee associated with this submission, as specified in 37 C.F.R. § 1.16 or § 1.17, be charged to deposit account 502306.

Respectfully submitted,

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